

Questions and Answers  
during Advertisement for CO PRA ROMO 10(7),  
Trail Ridge Road

October 30, 2009

Question 1 - I have been hearing from contractors that the bid opening has changed to Dec 10th. Is this correct?

Answer 1 - No, we are still scheduled to open bids on November 3, 2009. If the date changes, we will issue an amendment. Please visit the project page on FedBizOpps, [www.fbo.gov](http://www.fbo.gov), for updated information.

October 22, 2009

Question 1- I noticed that the project "CO PRA ROMO 10(6) TRAIL RIDGE ROAD - FALL RIVER PASS TO COLORADO RIVER TH " shows advertised yet I can not find it anywhere on your website or the fbo site. Has this project actually been advertised?

Answer 1- A project titled CO PRA ROMO 10(7), Trail Ridge Road is currently advertised. The 10(6) project has been combined with the 10(7).

Please go to <http://www.cflhd.gov/procurement/construction/advertised-projects.cfm> and scroll down to find the project name.

October 16, 2009

Question 1- Will the materials testing services for the subject solicitation fall under this solicitation through the contractor, or will those services be under a separate contract through FHWA? If through FHWA, could you tell me if there has already been a materials testing firm selected for this project, or when a solicitation will be posted?

Answer 1 - For this solicitation, all work associated with the general construction will be completed through the prime contractor.

October 15, 2009

Question 1 - The problem arises when one looks at the paragraph that states at least 50% of the cost of the contract incurred for personnel on its employees. Is this saying that we must do 50% of the contract. Please advise if this something new the government is doing, because in light of its legislative purposes you are basically making these programs of non effect.

Answer 1 - The HubZone prime contractor is required to spend at least 15% of the cost of the contract incurred for personnel on its own employees. Please see page A-ii of the solicitation for additional information regarding the requirements. A-ii also states that "A qualified HUBZone SBC receiving a contract under this solicitation for general construction must spend at least 50% of the cost of the contract incurred for personnel on its own employees or employees of other qualified HUBZone SBCs..." This means that 50% of the cost for personnel must come from employees of a HUBZone SBC.

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Question 2 - Are SBC's being treated differently than in the past since in the event the NAICS is a specialty contract the amount would be that the General Contractor would do 25%. If it is not a specialty contract, then the General Contractor would only be required to perform 15%.

Answer 2 - The NAICS code for this procurement is 237310, Highway, Street and Bridge Construction.

Question 3 - With this being an IFB, why is it being treated as an RFP by way of the evaluation processes that usually do not apply to an IFB. An IFB streamlines the process and helps expedite the award, which in this instance is good for an HubZone Company.

Answer 3 - We are following FAR Part 14, Sealed Bidding, procedures as they apply to Part 36, Construction and Architect-Engineer Contracts.

Question 4 - Since this is a specialty contract, the most it should be is 25%. Why is this and can this be changed in order to allow a HubZone Firm to team on this project?

Holistically and globally speaking in light of it's legislative purpose, these programs can be tailored to work for all parties involved in good faith. I do realize that this is all left up at the Contracting Officers sole discretion according to the F.A.R. In the event these percentages can not be changed I believe there is a ambiguity and the contractor should be given the benefit of the doubt.

Answer 4 - This is not a specialty construction project. This falls under general construction since we are not procuring services from a special trade contractor, but a prime contractor to take responsibility for construction of the entire project. This percentage is not at the discretion of the Contracting Officer. As a regulatory requirement of the HUBZone program it could only be changed by the Small Business Administration's Administrator.

13 CFR §126.700 states that

A qualified HUBZone SBC prime contractor receiving a HUBZone contract for general construction may meet this requirement itself by expending at least 50% of the cost of the contract incurred for personnel on its employees or it may subcontract at least 35% of the cost of the contract performance incurred for personnel to one or more qualified HUBZone SBCs.

If you have further questions regarding this, please contact your local Small Business Administration Representative.

October 8, 2009

Question 1 - Is there GPS control point throughout the project that could be used?

Answer 1 - A GPS control was not established for the project.